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6 United States of America

7 IN THE UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,
10

11 Plaintiff,

12 v.

13 ERIC FELDMANN,

14 Defendant.
15

CASE NO. 1:24-CR-00038-JLT-SKO

**STIPULATION TO CONTINUE CHANGE OF
PLEA HEARING AND ORDER THEREON**

16 **STIPULATION**

17 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
18 through defendant's counsel of record, hereby stipulate as follows:

19 1. By previous order, this matter was set for a change of plea hearing on April 1, 2024, at 9:00
20 a.m. The defendant now seeks to continue the change of plea hearing to May 6, 2024, at 9:00 a.m. The
21 proposed change of plea date represents the earliest date that all counsel are available, taking into account
22 counsels' schedules, defense counsels' commitments to other clients, and the court's available dates for a
23 change of plea hearing.

24 2. The parties agree and stipulate, and request that the Court find the following:

25 a) The discovery associated with this case includes voluminous investigative reports,
26 body camera footage, search warrants, and other documents.

27 b) Defense counsel requests the additional time to prepare for the change of plea
28 hearing, meet with his client, and review the plea agreement. The parties have finalized and filed

1 a plea agreement. In addition defense counsel needs additional time to meet with his client.

2 c) Counsel for the defendant believes that failure to grant the above-requested
3 continuance would deny him the reasonable time necessary for effective preparation, taking into
4 account the exercise of due diligence.

5 d) The government does not object to the continuance.

6 e) The defendant is currently in custody.

7 f) The parties agree that time should be excluded because failure to grant the requested
8 case schedule would unreasonably deny the defendant continuity of counsel, and unreasonably
9 deny the defendant the reasonable time necessary for effective preparation, taking into account the
10 parties' due diligence in prosecuting this case. 18 U.S.C. Section 3161(h)(7)(B)(iv). Based on the
11 above-stated findings, the ends of justice served by the schedule as requested outweigh the interest
12 of the public and the defendant in a trial within the original date prescribed by the Speedy Trial
13 Act. Therefore, the parties request that the Court exclude the time from April 1, 2024, to the change
14 of plea hearing date on May 6, 2024, from calculations under the Speedy Trial Act.

15 g) IT IS SO STIPULATED.

16 Dated: March 27, 2024

PHILLIP A. TALBERT
United States Attorney

17
18 By: /s/ Cody Chapple
19 JUSTIN J. GILIO
20 CODY S. CHAPPLE
Assistant United States Attorney

21 Dated: March 27, 2024

/s/ Michael E. Mitchell
22 MICHAEL E. MITCHELL
23 Attorney for Defendant
24 ERIC FELDMANN
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ORDER

IT IS HEREBY ORDERED that the Change of Plea hearing set for April 1, 2024, is continued to May 6, 2024. The period from April 1, 2024, through May 6, 2024, shall be excluded pursuant to Fed. R. Crim. P. 17.1; 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

IT IS SO ORDERED.

Dated: **March 28, 2024**


UNITED STATES DISTRICT JUDGE